

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

THOMAS BURR, et al.)	CASE NO.: C2 04 1118
)	
Plaintiffs,)	JUDGE SARGUS
)	
v.)	
)	<u>DEFENDANTS CITY OF MOUNT</u>
)	<u>VERNON, ANDREW N. BURNS</u>
ANDREW N. BURNS, et al.,)	<u>AND BETHANY MARTI'S</u>
)	<u>MOTION TO DISMISS</u>
Defendants.)	

Now come Defendants City of Mount Vernon, Andrew N. Burns and Bethany J. Marti and hereby move this Court for an Order dismissing Plaintiffs Thomas Burr and Marie Stamp's Amended Complaint pursuant to Civil Rule 12(b)(6). A Brief in Support of this Motion is attached.

Respectfully submitted,

MAZANEC, RASKIN & RYDER CO., L.P.A.

s/John T. McLandrich

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CERTIFICATE OF SERVICE

I hereby certify that on December 23, 2004, a copy of the foregoing was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

s/John T. McLandrich

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